APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,990	03/05/2002	Ron Rymon	02/23292	4478

7590   08/10/2007

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EXAMINER
HOANG, PHUONG N

ART UNIT	PAPER NUMBER
2194	

MAIL DATE	DELIVERY MODE
08/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/087,990	RYMON, RON
	Examiner	Art Unit	
	Phuong N. Hoang	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2007*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 27* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 27 are pending for examination.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/16/07

has been entered.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4.   Claims 1 – 12, 17 – 19, 25 – 27 are rejected under 35 U.S.C. 102(e) as being

Fisher, US Pub. No. 2002/0013847.

5.   **As to claim 1**, Fisher teaches pattern recognition apparatus for grouping nodes

according to relationships with other nodes, the apparatus comprising:

an input for receiving an arrangement of nodes and resources, said arrangement

comprising at least two partitions, one partition comprising the nodes and one partition

comprising the resources, predetermined relationships between the nodes and said

resources (allocate resources for end-users, 0044, 0046, 0053, 0055), and

a pattern recognition and node-grouping unit associated with said input,

configured for automatically (automatically, 0046) finding pattern within the

predetermined relationship between said nodes and said resources, said finding using

pattern recognition the nodes and said relationships, thereby to form at least one group

from nodes such that nodes having common relationship patterns are placed into a

same one of said at least one group (pool having same value type, exclusive sub-pool,

0056 – 0060), said common relationship patterns comprising mutually shared

relationships with a common set of said resources, and

· an output unit for outputting the nodes as at least one formed group (the group of end-users with predefined groups of resources, 0055).

6.   **As to claims 2 and 3**, Fisher teaches wherein said nodes in said first partition are users of a network (end-users, 0055), said nodes in said second partition are resources (network resources) of said network and said relationships are access permissions.

7.   **As to claim 4**, Fisher teaches wherein said relationships further comprise user access permission levels for respective resources (0051).

8.   **As to claim 5**, see rejection for claim 3 above.

9.   **As to claim 6**, Fisher teaches wherein said nodes in said first partition are entities having attributes (set of values, 0051), and said relationships represent a respective user possessing a respective attribute.

10.   **As to claim 7**, Fisher teaches wherein said pattern recognition unit is

11.   associated with a search engine operable to use a search tree (hierachies, 0056) to begin with a single resource and its associated users, and iteratively to add resources and remove users not having a predefined relationship with said iteratively added resources, to meet a resource number, or a user number constraint (0046, 0053).

12.   **As to claims 8 and 9**, Fisher teaches wherein said search engine is operable to

use a homogeneity (homogenous network, resources, 0013, 0053) measure to

determine whether to consider a candidate grouping in said search.

13.   **As to claims 10 and 11**, Fisher teaches wherein said search engine is operable

within said iterative stages to add further resources common to a current set of users

(0046).

14.   **As to claim 12**, Fisher teaches search engine is operable to expand all

resources (create resource, 0053).

15.   **As to claim 17**, Fisher teaches wherein said pattern recognition unit is operable

to use said pattern recognition within an iterative tree (hierachies, 0056) searching

process.

16.   **As to claim 18**, Fisher teaches wherein said pattern recognition unit is operable

to insert said groupings as an intermediate partition amongst said nodes, thereby to

redefine said relationships through said groupings (create resource, 0047).

17.   **As to claim 19**, Fisher teaches wherein said nodes are arranged into three

partitions, an intermediate one of said partitions comprising predetermined relationship

dependent groupings of at least some of the nodes in a first of said partitions, said

pattern recognition unit being operable to use said pattern recognition to add new

groups to said intermediate partition (0053, 0055).

18.   **As to claim 25**, this is the method claim of claim 1. See rejection for claim 1

above.

19.   **As to claim 26**, this is the software claim of claim 1. See rejection for claim 1

above.

20.   **As to claim 27**, Computer device comprising:

processor

> a first series of user definitions, each user in said definitions defined as a user
>
> node (end-users, 0055);
>
> a second series of resource definitions, each resource in said definitions defined
>
> as a resource node (resources; 0052 – 0060);
>
> access data indicating access of users to respective resources; and a pattern
>
> recognition unit operable with said processor for automatically discovering pre-
>
> existing patterns in said access data (automatic allocation of resources for end-
>
> user to access pre-defined groups of data, 0043, said patterns indicative of a
>
> group of resources that are assigned in common to a group of users, and
>
> a group definition unit operable with said processor and said pattern recognition

unit for using each discovered pre-existing pattern to output a group of users

having access to common resources (pool having same value type, exclusive

sub-pool, 0056 – 0060). .

21.   **Claims 20, 22 – 24 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Fisher, US Pub. No. 2002/0013847 in view of Brown, US patent

no. 5,941,947.

22.   **As to claim 20**, Fisher does not explicitly teach the step of wherein the input is

associated with a graphical expositor which presents the input in a graph.

23.   Brown teaches the steps of wherein the graphical expositor presents the input in

a graph (acyclic graphs, col. 12 lines 51 – col. 13 line 38).

24.   It would have been obvious to one of skill in the art at the time the invention was

made to combine the teaching of Fisher and Brown's system because Brown's graph

would provide the tree structure with partitioned groups on different levels for easy input

to the tree structure of Fisher's system to control the network nodes partitions.

25.   **As to claims 22 - 23**, Brown teaches the steps of wherein the graphical

expositor is further operable to partition the graph into sub-graphs (acyclic graphs, col.

12 lines 51 – col. 13 line 38), each of the sub-graphs itself being a mentioned graph

having at least two partitions, sub-graphs being limited to it subset of the nodes in one

of the partitions, and further comprising all the nodes in the other partition that are linked

thereto, and wherein the pattern recognition unit is further operable to perform

groupings on each of the sub-graphs, and then to merge the results into a full graph.

26.   **As to claim 24**, see rejection for claim 21 above.

27.   **Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over**

Fisher, US Pub. No. 2002/0013847 in view of Brown, US patent no. 5,941,947, and

further in view of Shandony, US patent no. 6,675,261.

28.   **As to claim 21,** Fisher does not the user would manually interact using graphical

to manually assign modify the groupings discovered by the pattern recognition engine.

        Shandony teaches the step of wherein the graphical exposistor is user interactive

to manually (IF statff can assign .... Add new users, col. 7 lines 45 – 50) assign modify

the groupings discovered by the pattern recognition engine.

        It would have been obvious to one of ordinary skill in the art at the time the

invention was made to apply the teaching of Shandony to Fisher's system because it

provides an alternate option to manually modify the grouping as specific need.

Allowable Subject Matter

29.   Claims 13 – 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

30.   Response to Arguments

31.   Applicant's arguments filed 10/16/06 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (571)272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ph
August 3, 2007

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER